

REMARKS

Applicant noted that the filing receipt indicated a \$6010 total filing fee. Ms. Eleanor Kurtz from OIPE explained that independent claims referring to multiple earlier claims (i.e., claims 14, 21, and 36) were calculated as multiple dependent claims, even though they are independent claims. This calculation resulted in the excessively high filing fee. Ms. Kurtz recommended amending the claims to remove the multiple dependencies, and that the Patent Office would adjust the filing fee accordingly.

Independent claims 14, 21, and 36, and dependent claim 44 are amended herein. Claim 44 is amended to correct an obvious typographical error in the word "alkoxy". The active claims in this case are claims 1-52. There are six independent claims (claims 1, 8, 14, 21, 36, and 48), and two multiple dependent claims (claims 33 and 34; each one being dependent on three claims). Applicant calculates the total filing fee to be \$1930 (\$750 filing fee; 36 extra total claims x \$18 = \$648, 3 extra independent claims x \$84 = \$252; multiple dependent claims fee = \$280), with all fees calculated using the fees in effect as of the filing date.

Applicants do not believe that any fees are due at this time; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to this document, the Commissioner is authorized to deduct the fees from Molecular Probes, Inc. Deposit Account No. 13-3900/MP.075/CJB.

Serial No. 10/661,451
Preliminary Amendment

Respectfully submitted,



Christopher J. Buntel, Ph.D.
Reg. No. 44,573
Customer No. 23358
ATTORNEY FOR ASSIGNEE,
MOLECULAR PROBES, INC.

Molecular Probes, Inc.
29851 Willow Creek Road
Eugene, OR 97402-9132
(541) 335-0040
(541) 335-0354 (fax)

October 26, 2004

Serial No. 10/661,451
Preliminary Amendment

21 of 21